

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

\*

vs.

\* CRIMINAL NO. MJG-11-0095

JOHN I. FRANKLIN, Jr., et al.

\*

\* \* \* \* \*

MEMORANDUM AND ORDER OF JANUARY 27, 2012

For reasons stated on the record of proceedings held  
January 26, 2012, subject to supplementation hereafter:

1. The Motion to Suppress Tangible and Derivative Evidence Filed by Defendant Franklin [Document 47] is DENIED.
2. The Motion to Suppress Statement filed by Defendant Franklin [Document 64] is DENIED.
3. The Motion In Limine to Preclude Expert Testimony Regarding Fingerprint Recovery Statistics [Document 113] remains pending.
  - a. Government counsel shall, by Thursday, February 2, 2012 provide a written proffer of the direct testimony to be offered by the witness and citation to any pertinent legal authority.
  - b. The Court may require the initial presentation of the said expert testimony to the Court prior to a ruling on the motion.
  - c. The Government shall not refer to the proposed testimony to the jury prior to the determination of the instant motion.
  - d. The Court will consider, in light of the evidence at trial, whether any specific instruction will be given regarding such expert testimony as may be admitted.

4. By agreement of the parties, stated on the record, trial shall proceed on the Superseding Indictment pursuant to existing scheduling.

SO ORDERED, this Friday, January 27, 2012.

/s/  
Marvin J. Garbis  
United States District Judge